

Prepared by:

Butler, Snow, O'Mara, Stevens & Cannada, PLLC
Attn: Kelly P. Bridgforth
6075 Poplar Avenue, Suite 500
Memphis, TN 38119
(901) 680-7200

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Southwest Quarter (SW-1/4) of Section 31 Township 2 South, Range 6 West of DeSoto County, Mississippi.

LOW WATER BRIDGE EASEMENT

BETTYE B. WHITTEN JENKINS, Individually, as Life Tenant;
BETTYE B. WHITTEN JENKINS, as Executrix and Testamentary
Trustee under the Last Will and Testament of David B. Bridgforth
BETTYE B. WHITTEN FUNDERBURK, Individually and as
Testamentary Trustee under all Trusts Created by the Last will and
Testament of David A. Whitten;
ANDREA WHITTEN WILLIFORD;
R.R. BRIDGFORTH HEIRS PARTNERSHIP

GRANTORS

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **BETTYE B. WHITTEN JENKINS, Individually, as Life Tenant; BETTYE B. WHITTEN JENKINS, as Executrix and Testamentary Trustee under the Last Will and Testament of David B. Bridgforth; BETTYE B. WHITTEN FUNDERBURK, Individually and as Testamentary Trustee under all Trusts Created by the Last will and Testament of David A. Whitten; ANDREA WHITTEN WILLIFORD; R.R. BRIDGFORTH HEIRS PARTNERSHIP** (the "Grantors"), grants to **DESOTO COUNTY REGIONAL UTILITY AUTHORITY** ("Grantee"), a body politic, a perpetual and assignable ingress/egress easement and right-of-way in, on, over and across the land herein described; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the Southwest Quarter (SW-1/4) of Section 31, Township 2 South, Range 6 West of DeSoto County, Mississippi, and being a thirty (30) foot wide easement, particularly described in Exhibit "A" attached hereto.

Upon completion of construction, Grantee shall restore the property to substantially the same grade and condition as existed prior to the commencement of construction, including but not limited to planting and installing erosion control if necessary.

The grant of this easement shall be for the sole and only purpose of the placement of a permanent low water crossing structure over the property described herein and matters directly related thereto.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that it is aware of its rights under said Act, including but not limited to:

- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantor fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor hereby waives its right to just compensation and donates the parcel of property herein described to DeSoto County Regional Utility Authority.

Grantor likewise consents that this Easement may be executed in any number of multiple counterparts with the same effect as if all of the Grantor's representatives had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

WITNESS MY SIGNATURE on the date set forth below.

The Address and Telephone
Number of the Grantor:

3606 Bridgforth Road
Olive Branch, MS 38654
(662)895-4441

The Address and Telephone
Number of the Grantee:

DeSoto County Courthouse
Hernando, MS 38632
(662) 429-5011

Betty B. Whitten Jenkins

BETTYE B. WHITTEN JENKINS, Individually,
As Life Tenant

DATE: 2/14/08

STATE OF Miss.

COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 12th day of February, 2008, within my jurisdiction, the within named Bettye B. Whitten Jenkins, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

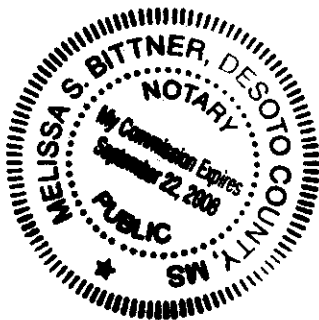
Given under my hand and official seal of office, this the 14th day of February 2008.

Melissa S. Bittner
NOTARY PUBLIC

My Commission Expires:

9-22-08

[AFFIX NOTARIAL SEAL]



Betty B. Whitten Jenkins

BETTYE B. WHITTEN JENKINS, as Executrix
and Testamentary Trustee under the Last Will and
Testament of David B. Bridgforth

DATE: 2/14/08

STATE OF Miss.
COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and
state, on this 14th day of February, 2008, within my jurisdiction, the within
named Bettye B. Whitten Jenkins, who acknowledged that she is Executrix and Testamentary
Trustee under the Last Will and Testament of David B. Bridgforth, and in said fiduciary
capacity, she executed the above and foregoing instrument, after first having been duly
authorized so to do.

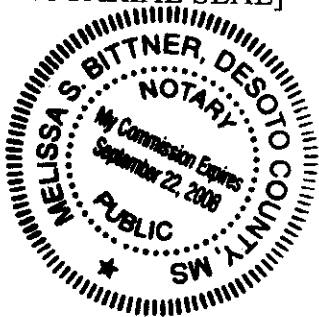
Given under my hand and official seal of office, this the 14th day of
February 2008.

Melissa S. Bittner
NOTARY PUBLIC

My Commission Expires:

9-22-08

[AFFIX NOTARIAL SEAL]



Betty B. Whitten Funderburk
 BETTYE B. WHITTEN FUNDERBURK,
 Individually

DATE: 2/14/08

STATE OF Miss.
 COUNTY OF DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of February, 2008, within my jurisdiction, the within named Bettye B. Whitten Funderburk, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 14th day of February, 2008.

Melissa S. Bittner
 NOTARY PUBLIC

My Commission Expires:

9-22-08
 [AFFIX NOTARIAL SEAL]



Betty B. Whitten Funderburk
 BETTYE B. WHITTEN FUNDERBURK, as
 Testamentary Trustee under all trusts created by
 the Last Will and Testament of David A. Whitten

DATE: 2/14/08

STATE OF Miss.
 COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of February, 2008, within my jurisdiction, the within named Bettye B. Whitten Funderburk, who acknowledged that she is Trustee under all Trusts created by the Last Will and Testament of David A. Whitten, and in said fiduciary capacity, she executed the above and foregoing instrument, after first having been duly authorized so to do.

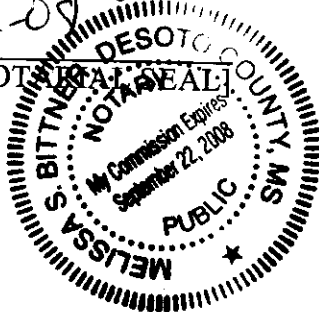
Given under my hand and official seal of office, this the 14th day of February, 2008.

Melissa A. Bittner
 NOTARY PUBLIC

My Commission Expires:

9.22.08

[AFFIX NOTARY SEAL]



Betty B. Whitten Funderburk
 R.R. BRIDGFORTH HEIRS PARTNERSHIP, by
 Betty B. Whitten Funderburk, General Partner

DATE: 2/14/08

STATE OF Miss.
 COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of February, 2008, within my jurisdiction, the within named Betty B. Whitten Funderburk, who acknowledged that she is a General Partner of R.R. Bridgforth Heirs Partnership, a Mississippi General Partnership, and that for and on behalf of the said partnership, and as its act and deed, she executed the above and foregoing instrument, after first having been duly authorized by said partnership so to do.

Given under my hand and official seal of office, this the 14th day of February, 2008.

Melissa S. Bittner
 NOTARY PUBLIC

My Commission Expires:

9-22-08
 [AFFIX NOTARIAL SEAL]



Andrea Whitten Williford
 ANDREA WHITTEN WILLIFORD, Individually,

DATE: 2/18/08

STATE OF Miss
 COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 18th day of February, 2008, within my jurisdiction, the within named Andrea Whitten Williford, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 18th day of February, 2008.

My Commission Expires:

9-22-08
 [AFFIX NOTARIAL SEAL]

Melissa S. Bittner
 NOTARY PUBLIC



SEPTEMBER 7, 2007

LEGAL DESCRIPTION

PARCEL NUMBER BPC 01 - LOW WATER BRIDGE EASEMENT
TAX PARCEL NUMBER: 2069-3100.0-00002.00

BEING A LEGAL DESCRIPTION OF A PROPOSED THIRTY (30) FOOT WIDE LOW WATER BRIDGE EASEMENT ACROSS PART OF THE BETTYE B. WHITTEN JENKINS, ET AL PROPERTY RECORDED IN DEED BOOK 179 - PAGE 156 AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, SAID PROPOSED EASEMENT TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS "PARCEL BPC 01 - LOW WATER BRIDGE EASEMENT", SAID BETTYE B. WHITTEN JENKINS, ET AL PROPERTY BEING SITUATED IN DESOTO COUNTY, MISSISSIPPI AND SAID PARCEL BPC 01 - LOW WATER BRIDGE EASEMENT BEING DESCRIBED AS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 6 WEST, ALL IN DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 31 AND THE NORTHERLY RIGHT OF WAY LINE OF BYHALIA ROAD [MISSISSIPPI STATE HIGHWAY NUMBER 304] (PUBLIC, PAVED ROAD - 53 FEET TO CENTERLINE PER DESOTO COUNTY - NO CONVEYANCE DEED FURNISHED TO SURVEYOR) [FOUND "T" POST AND RAILROAD TIE POST, 13 FEET SOUTH OF POINT OF COMMENCEMENT, ON LINE]; THENCE NORTH 00 DEGREES 10 MINUTES 34 SECONDS WEST ALONG THE SAID WEST LINE OF SECTION 31 A DISTANCE OF 1030.43 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (LEAVING SAID WEST LINE OF SECTION 31) - 983.21 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT OF BEGINNING LYING IN THE EASTERLY LINE OF AN EXISTING 50 FOOT WIDE PERMANENT UTILITY EASEMENT OF RECORD IN BOOK 453 - PAGE 180; THENCE NORTH 13 DEGREES 53 MINUTES 28 SECONDS EAST ALONG THE SAID EASTERLY LINE OF EXISTING 50 FOOT WIDE PERMANENT UTILITY EASEMENT - 260.00 FEET; THENCE SOUTH 76 DEGREES 06 MINUTES 32 SECONDS EAST (LEAVING AND PERPENDICULAR TO SAID EASTERLY LINE OF EXISTING 50 FOOT WIDE PERMANENT UTILITY EASEMENT) - 30.00 FEET; THENCE SOUTH 13 DEGREES 53 MINUTES 28 SECONDS EAST - 260.00 FEET; THENCE NORTH 76 DEGREES 06 MINUTES 32 SECONDS WEST - 30.00 FEET TO THE POINT OF BEGINNING.

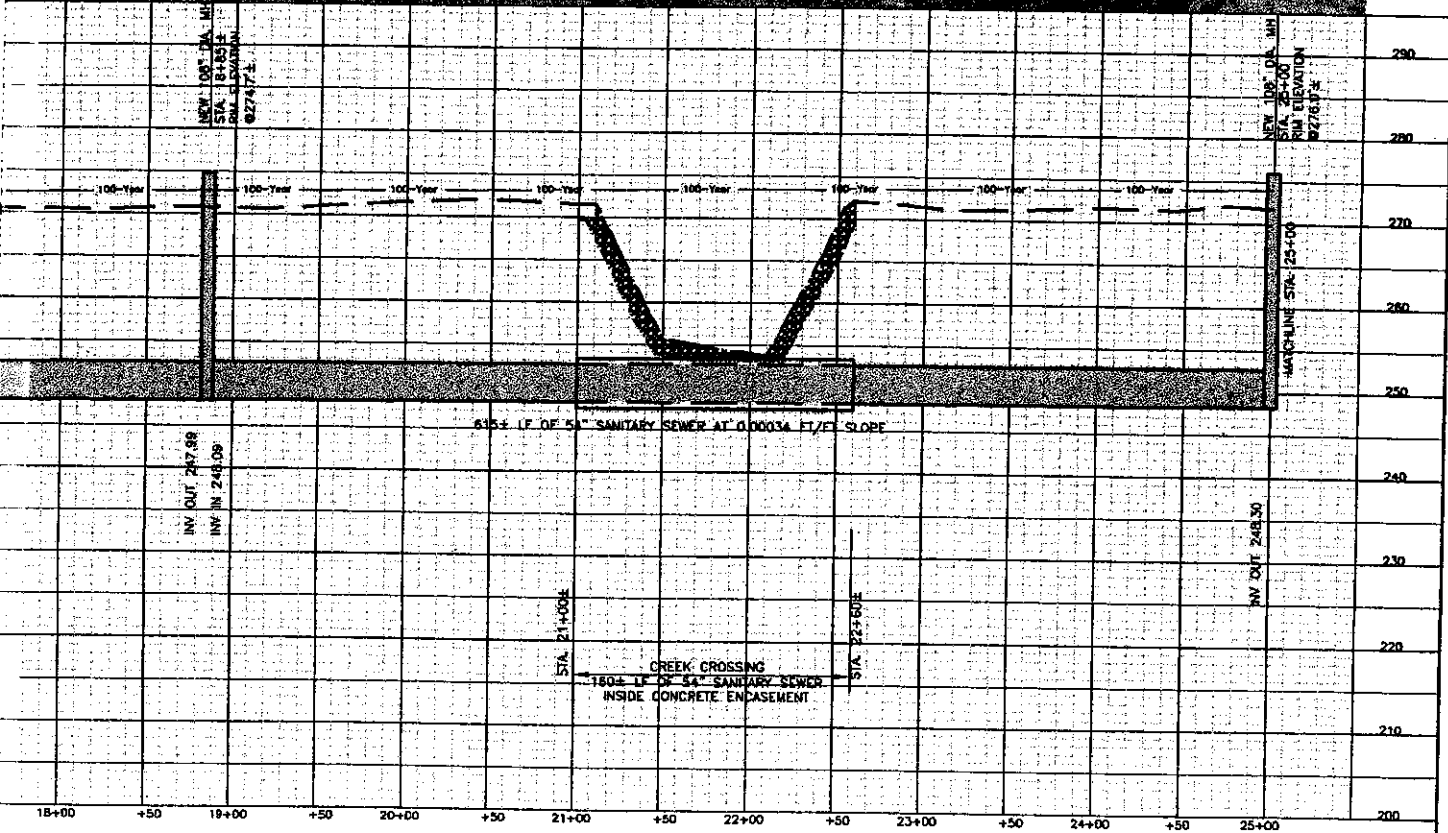
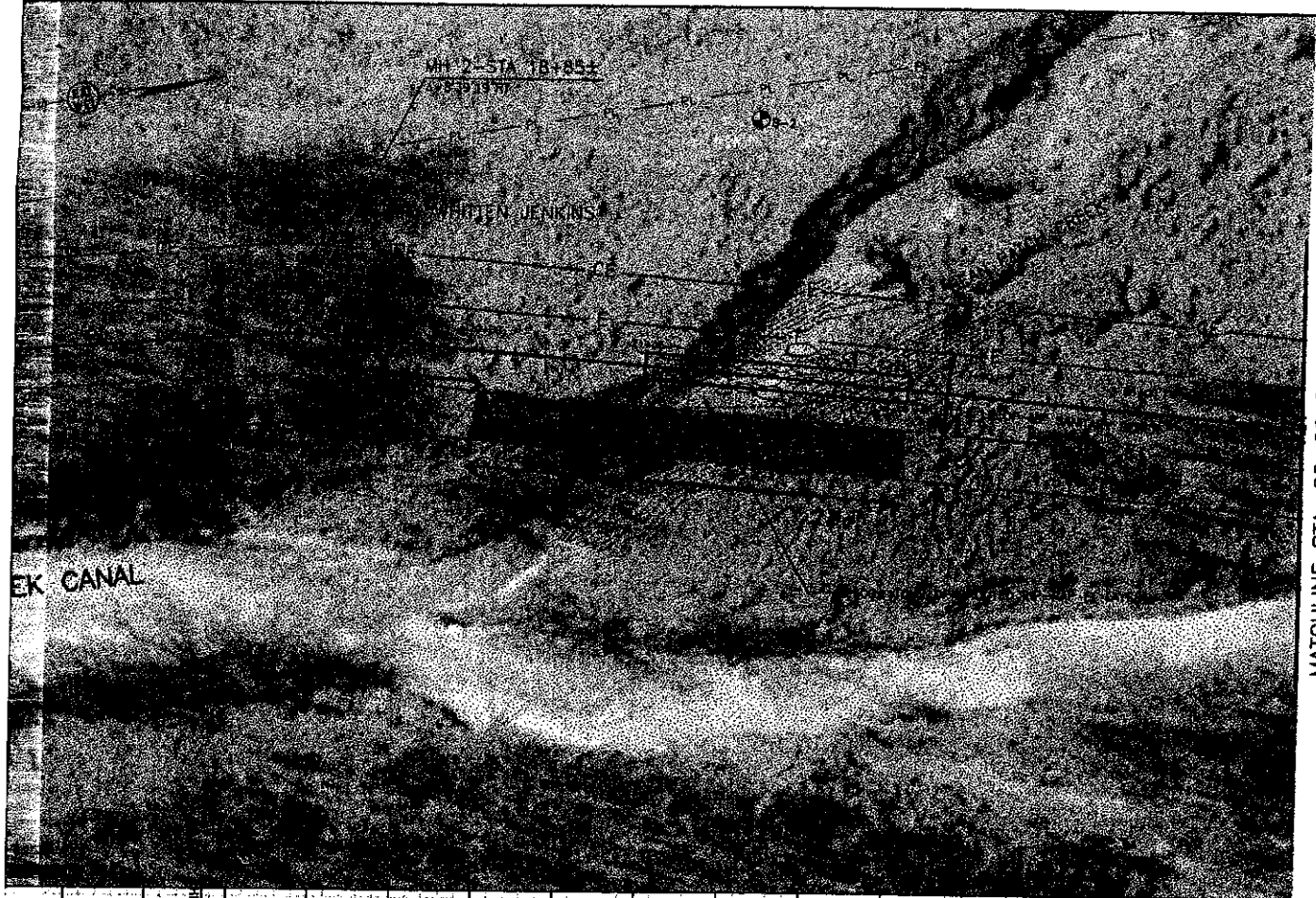
PARCEL BPC 01 - LOW WATER BRIDGE EASEMENT CONTAINING 7,800 SQUARE FEET OR 0.179 ACRES, MORE OR LESS.

BY GRAPHIC DETERMINATION, PARCEL BPC 01 - LOW WATER BRIDGE EASEMENT LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD, PER FIRM/FEMA MAP NUMBER 28033C0150 E, MAP REVISED JUNE 19, 1997.

ALL MATTERS OF PUBLIC RECORD ARE RECORDED AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

ALL REFERENCES TO GRID BEARINGS AND MISSISSIPPI STATE PLANE GRID COORDINATES AS INDICATED ON THIS SURVEY SET ARE UNADJUSTED, NAD 83 - WEST ZONE, SURVEY FEET, WITH A CONVERGENCE ANGLE OF 00 DEGREES 15 MINUTES 25.32 SECONDS AND A COMBINED FACTOR OF 0.999956480 AT THE POINT OF COMMENCEMENT OF LEGAL DESCRIPTION. GRID COORDINATE VALUES WERE DETERMINED BY GLOBAL POSITIONING SURVEY (GPS) OBSERVATION AND OPUS SOLUTION.





DESOTO COUNTY REGIONAL UTILITY AUTHORITY
UPPER CAMP CREEK INTERCEPTOR SOUTH
DESOTO COUNTY, MISSISSIPPI



PLAN AND PROFILE SHEET
STA. 10+00 to STA. 25+00

PROJECT NO. 16535.05	
CONTRACT 1	SHEET C1.02

GRID NORTH



JOHN RICHARD ARMSTRONG, PLS
MISSISSIPPI REGISTRATION NO. 2870
DATE OF FIELD SURVEY: 03/15/03

ANNOTATED LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N00°07'21"W	57.90'
L2	N05°14'09"E	875.64'
L3	N13°53'28"E	613.89'
L4	N07°50'15"E	300.51'
L5	N07°21'36"E	899.98'
L6	N07°07'22"E	900.00'
L7	N07°20'43"E	899.99'
L8	N07°47'27"E	640.06'

- DENOTES PERMANENT UTILITY EASEMENT
 DENOTES TEMPORARY CONSTRUCTION EASEMENT
 DENOTES FOUND PROPERTY CORNER

BETTYE B WHITTEN JENKINS
(DB 047 - PG 357)

WILLIAM T HAWKS AND
WIFE, DIANE HAWKS
(DB 124 - PG 179)

BK 580 PG 334

LEWWOOD CATHEY
(DB 330 - PG 390)

LEWWOOD CATHEY
(DB 330 - PG 390)

BETTYE B WHITTEN JENKINS, ET AL
(DB 179 - PG 156)

BETTYE B WHITTEN JENKINS, ET AL
(DB 179 - PG 156)

BETTYE B WHITTEN JENKINS, ET AL
(DB 179 - PG 156)

BETTYE B WHITTEN JENKINS, ET AL
(DB 179 - PG 156)

UNKNOWN OWNERSHIP
(NO DEED FURNISHED TO SURVEYOR)

UNKNOWN OWNERSHIP
(NO DEED FURNISHED TO SURVEYOR)

BYHALIA RD

NORTHERLY ROW LINE
N89°24'33"E
848.63'
FND T POST & RR TIE
T J BROADWAY, JR
(DB 406 - PG 740)
BRIDGE
T 3 S - SOUTHERLY ROW LINE
BYHALIA RD [MS ST HWY 304]
(PUBLIC, PAVED ROAD)
(80 FEET WIDE)

APPROX. LOCATION

COMMSOUTH LEASE
(PB 75 - PG 523)

PERMANENT 50 FOOT WIDE UTILITY EASEMENT REQUIRED- 5.950 ACRES (259,194 SQ FT)
PROPOSED 30 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT "A" REQUIRED: 3.428 ACRES (149,307 SQ FT)
PROPOSED 30 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT "B" REQUIRED: 3.573 ACRES (155,639 SQ FT)

By graphic determination, this parcel lies within the limits of the Special Flood Hazard Areas inundated by by 100 Year Flood, per FIRM/FEMA Map number 28033C0150 E, effective date of June 19, 1997.

This is a Mississippi Class "B" survey.

Bearings shown on this drawing are grid bearings based upon gps observations and are relative to Mississippi Traverse Mercator Projection, West zone, NAD83).

This parcel may subject to recorded, unrecorded, or mis-indexed instruments or facts which might be revealed by a current title examination of said parcel.

PARCEL NO: UCC-02
TAX ID: 2069-3100.0-00002.00

BETTYE B. WHITTEN JENKINS, ET AL		
PROPOSED 50' WIDE UTILITY EASEMENT AND TWO 30' WIDE TEMPORARY CONSTRUCTION EASEMENTS FOR THE		
DESOTO COUNTY REGIONAL UTILITY AUTHORITY		
UPPER CAMP CREEK INTERCEPTOR SEWER		
Sited in the SW 1/4 of Section 31, Township 2 South, Range 6 West, AND in the NW 1/4 of Section 31, Township 2 South, Range 6 West, DeSoto County, Mississippi		
EAI/WEI, LLC Consulting Engineers 460 Briarwood Dr. Suite 515 - Jackson, Mississippi 39206 - (601)956-3663		
DRAWN BY: jra	DATE: REY 04/16/03	SHEET NUMBER 1 OF 1
REVIEWED BY: WHW	SCALE: 1" = 600'	

\\16535-UC\535-UCC-02